

SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

297724

DATE OF REPORT (DAY-MO-YEAR)

08 January 2005

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED or
 in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
 SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE
ATTENTION **ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS**
 ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME		RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.	
Nelson I. Perez		Sgt	1101			010	
ADDRESS OF INCIDENT		DATE OF INCIDENT -TIME			BEAT OF INCIDENT	LOCATION CODE*	
24 [REDACTED] W. Coyle		05 May 2004 2300			2411	01	
ACCUSED	NAME	RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.	
	1. Cunningham, Aaron	P.O.	15522			010	
	2.						
SEX/RACE	D.O.B.	DATE OF APPOINTMENT	DUTY STATUS (TIME OF INCIDENT)		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	PHYS. COND. CODE†	
1. M/2	[REDACTED] 1967	29 Jun 1998	<input type="checkbox"/> ON DUTY <input checked="" type="checkbox"/> OFF DUTY		<input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	01	
2.			<input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN		
IF APPLICABLE - DATE ARRESTED/INDICTED		CHARGES		COURT BRANCH	DISPOSITION & DATE		
1.							
2.							
COMPLAINANTS	NAME	ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
		[REDACTED]		[REDACTED]	M/2		01
VICTIMS	NAME	ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
WITNESSES	NAME	ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†

SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

IT IS REPORTED THAT THE ACCUSED LOST HIS WEAPON BEARING SERIAL NUMBER [REDACTED]

I.A.D. LOCATION CODES*

- 01 Food Sales/Restaurant
- 02 Tavern/Liquor Store
- 03 Other Business Establishment
- 04 Police Building
- 05 Lockup Facility
- 06 Police Maintenance Facility
- 07 CPD Automotive Pound Facility
- 08 Other Police Property
- 09 Police Communications System
- 10 Court Room

- 11 Public Transportation Veh./Facility
- 12 Park District Property
- 13 Airport
- 14 Public Property Other
- 15 Other Private Premise
- 16 Expressway/Interstate System
- 17 Public Way - Other
- 18 Waterway, Incl. Park District
- 19 Private Residence

I.A.D. PHYSICAL CONDITION CODES†

- 01 No Visible Injury - Apparently Normal
- 02 No Visible Injury - Under Influence
- 03 Injured, Not Hospitalized
- 04 Injured, Not Hospitalized - Under Influence
- 05 Injured, Hospitalized
- 06 Injured, Hospitalized - Under Influence
- 07 Injured, Refused Medical Aid
- 08 Injured, Refused Medical Aid - Under Influence
- 09 Deceased
- 10 Deceased - Under Influence

* * IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

SUMMARY

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

THIS INVESTIGATION WAS A REASSIGNMENT AND GIVEN TO R/SGT. ON 17 NOV. 2004.

R/SGT. WAS ASSIGNED TO INVESTIGATE THIS COMPLAINT AGAINST OFFICER AARON CUNNINGHAM #15522. THE COMPLAINT AGAINST DEPARTMENT MEMBER ALLEGES THAT ON 05 MAY 2004, OFFICER CUNNINGHAM LOST HIS WEAPON BEARING SERIAL [REDACTED] WHILE OFF DUTY. (ATT.#1)

R/SGT. OBTAINED THE ORIGINAL CR INITIATION REPORT ILLUSTRATING THAT OFFICER CUNNINGHAM NOTIFIED HIS UNIT OF HIS WEAPON BEING LOST OR MISPLACED AND A COMPLAINT REGISTER NUMBER WAS OBTAINED BY THE ON DUTY DESK SGT. RICARDO RIVERA #943. (ATT. 2)

ON 21 NOV. 2004, R/SGT. OBTAINED A CLEAR DATA WAREHOUSE REPORT ILLUSTRATING THAT OFFICER CUNNINGHAM OBTAINED A LOST AND FOUND CASE REPORT UNDER RD# - HK346645 DETAILING HIS DUTY WEAPONS DESCRIPTION AND SERIAL NUMBER. (ATT. 3)

R/SGT. OBTAINED SIGNED LEGAL DOCUMENTS FROM SGT. PETER OCHOA #1370 WITH OFFICER CUNNINGHAM'S SIGNATURE (ATT.4,5,6) OFFICER CUNNINGHAM PROVIDED A DETAILED REPORT DESCRIBING THE EVENTS THAT LEAD TO THE OFFICER MISPLACING HIS WEAPON. (ATT. 7)

ATTACHMENTS	INVESTIGATIVE REPORTS-SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS-SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	0	0	0	16

FINDINGS--RECOMMENDATIONS

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

ALLEGATION: THAT THE ACCUSED LOST HIS WEAPON [REDACTED]

FINDINGS: SUSTAINED, THE MEMBER VIOLATED RULE 13 IN THAT HE FAILED TO ADEQUATELY SECURE AND CARE FOR HIS WEAPON.

RECOMMENDATION: AFTER CONSIDERING THE MEMBERS COMPLIMENTARY AND DISCIPLINARY HISTORIES THE R/SGT. RECOMMENDS A ONE (1) DAY SUSPENSION.

REVIEWED BY
[REDACTED]

FEB 23 2006

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	DATE COMPLETED (DATE OF THIS REPORT)	ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)	
14 MAY 2004	08 JAN. 2005	218	

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE [REDACTED]

IF NECESSARY, USE AN 8½ x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

On 22 Nov 2004 R/Sgt. spoke with Officer Cunningham about his weapon, to which he related the events that lead to him losing his weapon. Officer Cunningham further related that after he reported his weapon missing, he received a call from his wife who is also a Chicago Police Officer alerting him that she found his weapon behind their bathroom toilet. R/Sgt. is submitting a detailed report of this conversation with Officer Cunningham (att#8).

R/Sgt. obtained a copies of Officer Cunningham's Complimentary and Disciplinary histories through the CLEAR data warehouse and IAD (att#9,10,11).

R/Sgt. at this point is concluding this investigation.

R/Sgt. believes that this infraction is merely an oversight on the officer's part. Officer Cunningham lost his weapon in an area that is under control by, not one, but two police officers. [REDACTED]

R/Sgt. feels that Officer Cunningham failed to exercise due diligence in securing his duty weapon.

R/Sgt. believes that Officer Cunningham should have thoroughly searched his residence, before reporting for work the following day. His actions placed the on duty desk Sergeant in a position that forced him to obtain a Complaint number in order to comply with departmental guidelines.

Complaint Register Number 297724
Evidence List

Attachment List	Attachment Number
Complaint against Department Member	1
CLEAR Data warehouse printout of Officer Aaron Cunningham Info	2
Original CR initiation report #297724	3
CLEAR Data warehouse printout of Case Report # HK 346645	4
Notification of CR Investigation	5
Legal Documentation for P.O. A. Cunningham #15522	6,7,8
To/From Subject Report from P.O. A. Cunningham #15522	9
To/From Subject Report from Sgt. Nelson I. Perez #1101	10a,10b
Disciplinary History	11,12
Complimentary History	13
Request for Extensions	14

Complaint Register
Number 297724
Evidence List